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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,732	06/29/2000	Robert Leonard Munson	8285/374	6694

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CHICAGO, IL 60610

EXAMINER

NG, CHRISTINE Y

ART UNIT	PAPER NUMBER
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2663

DATE MAILED: 07/28/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/606,732

Applicant(s)

MUNSON ET AL.

Examiner

Christine Ng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 43-45 and 49-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 43-45 and 49-66 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 58-60 and 66 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,084,875 to Forrest.

Referring to claim 58, Forrest discloses in Figure 2 a network for routing telephone calls directed to on-line computer data services (ISP 260) from an originating central office (SSP-A 210) to a terminating central office (SSP-B 220). The network comprises:

A database (Element 250) in communication with the originating central office (SSP-A 210), the database including a routing table that includes (i) a plurality of telephone numbers associated with dial-up access lines to on-line computer data services (ISP 260); and (ii) a plurality of trunk route identifiers corresponding to a plurality of trunk routes (Elements 270) for connecting the plurality of originating central offices (SSP-A 210) with the terminating central office (SSP-B 220), the database being operative to identify telephone calls to on-line computer data services (ISP 260). The SCP 240 analyzes the calling number and the called ISP number and compares them

with "a list of calling numbers, ISP numbers and associated trunklines, which is stored in a database 250, and identifies the dedicated ISP trunkline(s) which will be used to route the call" to an ISP, thereby connecting SSP-A 210 with SSP-B 220. Refer to Column 4, lines 42-48. Furthermore, ISPs "provide different local phone numbers for each city where they operate" (Column 2, line 64-66).

A data trunk (Element 270) for connecting the originating central office (SSP-A 210) and the terminating central office (SSP-B 220), the data trunk being dedicated exclusively for carry data transmissions. Calls to ISPs 260 are routed on "reserved trunklines 270, thus separating ISP traffic from normal voice traffic" (Column 4, lines 31-33).

A circuit-switch (SSP-B 220) at the terminating central office (SSP-B 220), the circuit switch (SSP-B 220) being operative to connect the data trunk (Elements 270) with the on-line data services (ISP 260). Refer to Column 4, lines 48-53.

Referring to claim 59, Forest discloses in Figure 2 that the database (Element 250) is operative to identify telephone calls to on-line data services (ISP 260) in response to an advanced intelligent network query from the SSP. Refer to Column 1, lines 56-59 and Column 4, lines 34-55.

Referring to claim 60, Forrest discloses in Figure 2 that the database (Element 250) is operative to identify the trunk (Elements 270) for connecting the originating central office (SSP-A 210) and the terminating central office (SSP-B 220). The SCP 240 analyzes the calling number and the called ISP number and compares them with "a list of calling numbers, ISP numbers and associated trunklines, which is stored in a

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database 250, and identifies the dedicated ISP trunkline(s) which will be used to route the call" to an ISP, thereby connecting SSP-A 210 with SSP-B 220. Refer to Column 4, lines 42-48.

Referring to claim 66, Forrest discloses in Figure 2 that the circuit switch (SSP-B 220) is dedicated to receive only calls to on-line data services (ISP 260). Calls to ISPs 260 can then be routed on "reserved trunklines 270, thus separating ISP traffic from normal voice traffic" (Column 4, lines 31-33).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,084,875 to Forrest in view of U.S. Patent No. 5,995,605 to Madoch et al.

Forrest discloses in Figure 2 a database (Element 250) for routing telephone calls directed to on-line computer data services (ISP 260) from an originating central office (SSP-A 210) to a terminating central office (SSP-B 220). The database comprises:

A routing table (in Database 250) comprising a plurality of telephone numbers associated with dial-up access lines to on-line computer data services (ISP 260) and a plurality of trunk route identifiers corresponding to a plurality of trunk routes (Elements

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270) for connecting the plurality of originating central offices (SSP-A 210) with the terminating central office (SSP-B 220). Refer to the rejection of claim 58.

Service logic (SCP 240) to identify a trunk route (Element 270) for connecting the originating central office (SSP-A 210) with the terminating central office (SSP-B 220). The SCP 240 determines the ISP trunklines to route the call from SSP-A 210 to SSP-B 220. Refer to Column 4, lines 42-48.

Wherein the plurality of trunk routes (Elements 270) are dedicated exclusively for carrying data transmissions. Calls to ISPs 260 can then be routed on "reserved trunklines 270, thus separating ISP traffic from normal voice traffic" (Column 4, lines 31-33).

Forrest does not disclose that the routing table includes a plurality of point codes that correspond to a plurality of originating central offices.

Madoch et al disclose in Figure 3 that a plurality of originating central offices 64 are each associated with a centrex telephone number. "When the modem 54 calls a centrex telephone number belonging to the ISP, a central office switch 62 connects the modem 54 to a second central office switch (plurality of central office switches) 64 having the centrex telephone number" (Column 2, lines 34-38). The SCP 70 utilizes the centrex telephone number from the central office switch 62 to determine a route for the call to the ISP. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include that the routing table includes a plurality of point codes that correspond to a plurality of originating central offices; the motivation being that a point code can be used to distinguish between the originating central

offices and determine a route of communication between the source and destination switches.

5. Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,084,875 to Forrest in view of U.S. Patent No. 5,995,605 to Madoch et al., and in further view of U.S. Patent No. 6,026,151 to Bauer et al.

Forrest and Madoch et al do not disclose that the routing table is operative to identify the plurality of telephone numbers associated with dial-up access lines to on-line data services by a ten digit NPA-NXX-XXXX.

Bauer et al disclose in Figure 5 a routing table, ISP database, that includes records for a plurality of ISPs and corresponding network interface locations (NPA-NXX). The ISP database also includes for each ISP a routing number 310 and alternate routing numbers 320. Refer to Column 6, lines 35-50. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include that the routing table is operative to identify the plurality of telephone numbers associated with dial-up access lines to on-line data services by a ten digit NPA-NXX-XXXX; the motivation being so that the system can utilize the table to determine for a user the nearest ISP through which the user can access the Internet.

6. Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,084,875 to Forrest in view of U.S. Patent No. 5,995,605 to Madoch et al., and in further view of U.S. Patent No. 5,740,239 to Bhagat et al.

Forrest and Madoch et al do not disclose that the service logic is operative to

identify the trunk route by identifying a ten-digit NPA-NXX-XXXX telephone number associated with the trunk route to the terminating central office.

Bhagat et al disclose in Figure 16 that the destination switch 733 utilizes the dialed NPA-NXX-XXXX telephone number to obtain "the identity or identities of the carrier(s) and end office(s) of the local carrier serving the called customer". Refer to Column 8, line 20 to Column 9, line 2. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include that the service logic is operative to identify the trunk route by identifying a ten-digit NPA-NXX-XXXX telephone number associated with the trunk route to the terminating central office; the motivation being so that the system, based on the called NPA-NXX-XXX telephone number, can determine the trunk route and end office that is serving the called customer.

7. Claims 49-51, 54, 57 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,084,875 to Forrest in view of U.S. Patent No. 5,995,605 to Madoch et al.

Referring to claim 49, refer to the rejection of claim 58.

Forrest does not disclose that the routing table includes a plurality of point codes that correspond to a plurality of originating central offices. Refer to the rejection of claim 43.

Referring to claim 50, refer to the rejection of claim 59.

Referring to claim 51, refer to the rejection of claim 60.

Referring to claim 54, Forrest does not disclose a primary rate interface for connecting the circuit-switch with the on-line data services.

Madoch et al disclose in Figure 3 that the system further comprises a primary rate interface (Element 76) for connecting the circuit switch (Element 75) with the on-line data services (Element 80). Refer to Column 2, lines 57-60. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a primary rate interface for connecting the circuit-switch with the on-line data services; the motivation being that a primary rate interface is a service of ISDN that accommodates digital transmission over telephone wire at a faster service rate than modems; the primary rate interface also services larger users as compared to the basic rate interface.

Referring to claim 57, refer to the rejection of claim 66.

Referring to claim 63, refer to the rejection of claim 54.

8. Claim 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,084,875 to Forrest in view of U.S. Patent No. 5,995,605 to Madoch et al, and in further view of U.S. Patent No. 5,680,446 to Fleischer et al.

Forrest and Madoch et al do not disclose that the database is further operative to identify the data trunk for connecting the originating central office to the terminating central office by indexing a dialed telephone number and a point code identifying the originating central office in the routing table.

Fleischer et al disclose in Figure 7 that a database, an SCP (Element 30), is operative to identify the data trunk (route office number) for connecting the originating

central office and the terminating central office by indexing a dialed telephone number (NPA-NXX) and a point code (SSP 12, SSP 14 or SSP 16) identifying the originating central office in a routing table (Instate NPA-NXX Trunk Routing Table). Refer to Column 5, lines 56-60; Column 10, lines 36-41 and Column 19, lines 14-39. For each terminating number in the table, a route office number associated with each SSP is used to "identify the trunk on which to route the telephone call for termination" (Column 19, lines 31-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a database to identify the data trunk for connecting the originating central office and the terminating central office by indexing the dialed telephone number and a point code in order to select a trunk group for the SSP to use based on the terminating number.

9. Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,084,875 to Forrest in view of U.S. Patent No. 5,995,605 to Madoch et al, and in further view of U.S. Patent No. 6,097,719 to Benash et al.

Forrest and Madoch et al do not disclose that the circuit switch consolidates access to on-line data services within a LATA.

Benash et al show in Figure 5 that a circuit switch (Element 12) consolidates access to on-line data services (Element 40) using a LATA hub (Element 10). The disclosed LATA hub serves the customers of the ISPs and provide for the "collection, concentration and management of the customers traffic within a LATA" (Column 9, lines 56-57) in a defined geographic region. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include that the circuit

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switch consolidates access to on-line data services within a LATA in order to collect, concentrate and manage customer traffic in a defined geographic region.

10. Claim 55 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,084,875 to Forrest in view of U.S. Patent No. 5,995,605 to Madoch et al, and in further view of U.S. Patent No. 5,805,587 to Norris et al.

Forrest and Madoch et al do not disclose that the system further comprises a T1/DS1 line for connecting the circuit switch with the on-line data services.

Norris et al disclose in Figure 1 a T1 line (Element 150) connecting a circuit switch (Element 105) with on-line data services (Element 200). T1 carrier lines each have 24 communication channels with at least one channel serving as a signaling channel. The signaling channel allows the circuit switch (Element 105) and the on-line data services (Element 200) to set up communication between the data terminal (DT1) and the Internet (Element 300). Refer to Column 2, lines 31-45. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a T1 line for connecting the circuit switch with the on-line data services in order to set up communication between a data terminal and the Internet.

11. Claim 56 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,084,875 to Forrest in view of U.S. Patent No. 5,995,605 to Madoch et al, and in further view of U.S. Patent No. 6,205,134 to Jordan et al.

Forrest and Madoch et al do not disclose that the data trunk comprises a T1 trunk line.

Jordan et al teach that T1 is the standard form of trunk line, which provides 24

simultaneous channels to carry audio telephone signal and a limited degree of signaling information including information on reserving a channel, making a call on a channel, and transferring a call. Refer to Column 1, lines 49-55. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include that the data trunk comprises a T1 trunk line since T1 carriers carry audio telephone signal and signaling information.

12. Claim 61 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,084,875 to Forrest in view of U.S. Patent No. 5,680,446 to Fleischer et al. Refer to the rejection of claim 52.

13. Claim 62 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,084,875 to Forrest in view of U.S. Patent No. 6,097,719 to Benash et al. Refer to the rejection of claim 53.

14. Claim 64 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,084,875 to Forrest in view of U.S. Patent No. 5,805,587 to Norris et al. Refer to the rejection of claim 55.

15. Claim 65 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,084,875 to Forrest in view of U.S. Patent No. 6,205,134 to Jordan et al. Refer to the rejection of claim 56.

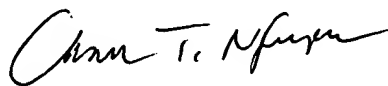
Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine Ng whose telephone number is (703) 305-8395. The examiner can normally be reached on M-F; 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen Chau can be reached on (703) 308-5340. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C. Ng ^{ew}
July 15, 2004



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